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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHARLES E. GORE, : 03 Civ. 9442 (RJS)(JCF)
Plaintiff, :
-against- : **NOTICE OF MOTION**
THE RBA GROUP, INC. and :
HAIDER ENGINEERING, :
DefendantS :
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PLEASE TAKE NOTICE that in accordance with the pre-motion conference held May 22, 2008, and upon (i) the annexed declaration of Lalit K. Loomba, Esq., dated June 11, 2008; (ii) the accompanying memorandum of law dated June 11, 2008, and (iii) all the prior proceedings herein, defendant Haider Engineering, P.C., by its undersigned attorneys, will move this Court, before the Hon. before the Hon. Richard J. Sullivan, on a date and at a time designated by the Court, for an Order, pursuant to Rules 12(b)(5) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing plaintiff's second-amended complaint as against Haider Engineering with prejudice on grounds of insufficiency of service of process and statute of limitations, and for such other, different and further relief as the Court may deem just and proper.

Dated: White Plains, New York
June 11, 2008

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP
Attorneys for Defendant Haider
Engineering, P.C.



By: Lalit K. Loomba (LL 9755)

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TO:

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